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7 Attorneys for Defendant,
8 REGENCY CENTERS, L.P.,
9 a Delaware limited partnership

10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA
12 SOUTHERN DIVISION

13 SUZANNE NAPIER,

14 Plaintiff,

15 vs.

16 WELLS FARGO CLEARING SERVICES,
17 L.L.C., a Delaware limited liability
18 company, dba WELLS FARGO ADVISORS;
19 REGENCY CENTERS, L.P., a Delaware
20 limited partnership; and DOES 1-10,
21 inclusive

22 Defendants

CASE NO.: 8:17-cv-01103 (CJC-E)

ANSWER TO COMPLAINT

23 Defendant Regency Centers, L.P., a Delaware limited partnership, severing itself
24 from all other defendants, answers plaintiff's complaint herein as follows:

25 PARTIES

26 1. Answering paragraph 1, this answering defendant lacks sufficient information or
27 belief to enable it to answer the remaining allegation in said paragraph and, based
28 thereon, it denies, generally and specifically, each of said allegations.

1 2. Answering paragraph 2, this answering defendant lacks sufficient information or
2 belief to enable it to answer the remaining allegation in said paragraph and, based
3 thereon, it denies, generally and specifically, each of said allegations.

4 3. Answering paragraph 3, this answering defendant admits the allegations
5 contained therein.

6 4. Answering paragraph 4, this answering defendant admits the allegations
7 contained therein.

8 5. Answering paragraph 5, this answering defendant admits the allegations
9 contained therein.

10 6. Answering paragraph 6, this answering defendant lacks sufficient information or
11 belief to enable it to answer the remaining allegation in said paragraph and, based
12 thereon, it denies, generally and specifically, each of said allegations.

13 7. Answering paragraph 7, this answering defendant lacks sufficient information or
14 belief to enable it to answer the remaining allegation in said paragraph and, based
15 thereon, it denies, generally and specifically, each of said allegations.

16 JURISDICTION AND VENUE

17 8. Answering paragraph 8, this answering defendant admits the allegations set forth
18 therein.

19 9. Answering paragraph 9, this answering defendant admits the allegations set forth
20 therein.

21 10. Answering paragraph 10, this answering defendant admits the allegations set
22 forth therein.

FACTUAL ALLEGATIONS

11. Answering paragraph 11, this answering defendant lacks sufficient information or belief to enable it to answer the allegations contained in said paragraph and, based thereon, it denies, generally and specifically each of said allegations.

12. Answering paragraph 12, this answering defendant admits the allegations set forth therein.

13. Answering paragraph 13, this answering defendant admits the allegations set forth therein.

14. Answering paragraph 14, this answering defendant lacks sufficient information or belief to enable it to answer the allegations contained in said paragraph and, based thereon, it denies, generally and specifically each of said allegations.

15. Answering paragraph 15, this answering defendant lacks sufficient information or belief to enable it to answer the allegations contained in said paragraph and, based thereon, it denies, generally and specifically each of said allegations.

16. Answering paragraph 16, this answering defendant lacks sufficient information or belief to enable it to answer the allegations contained in said paragraph and, based thereon, it denies, generally and specifically each of said allegations.

17. Answering paragraph 17, this answering defendant lacks sufficient information or belief to enable it to answer the allegations contained in said paragraph and, based thereon, it denies, generally and specifically each of said allegations.

18. Answering paragraph 18, this answering defendant lacks sufficient information or belief to enable it to answer the allegations contained in said paragraph and, based thereon, it denies, generally and specifically each of said allegations.

1 19. Answering paragraph 19, this answering defendant lacks sufficient information or
2 belief to enable it to answer the allegations contained in said paragraph and, based
3 thereon, it denies, generally and specifically each of said allegations.

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5 20. Answering paragraph 20, this answering defendant lacks sufficient information or
6 belief to enable it to answer the allegations contained in said paragraph and, based
7 thereon, it denies, generally and specifically each of said allegations.

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9 21. Answering paragraph 21, this answering defendant lacks sufficient information or
10 belief to enable it to answer the allegations contained in said paragraph and, based
11 thereon, it denies, generally and specifically each of said allegations.

12 22. Answering paragraph 22, this answering defendant lacks sufficient information or
13 belief to enable it to answer the allegations contained in said paragraph and, based
14 thereon, it denies, generally and specifically each of said allegations.

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16 23. Answering paragraph 23, this answering defendant lacks sufficient information or
17 belief to enable it to answer the allegations contained in said paragraph and, based
18 thereon, it denies, generally and specifically each of said allegations.

19 24. Answering paragraph 24, this answering defendant lacks sufficient information or
20 belief to enable it to answer the allegations contained in said paragraph and, based
21 thereon, it denies, generally and specifically each of said allegations.

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23 25. Answering paragraph 25, this answering defendant lacks sufficient information or
24 belief to enable it to answer the allegations contained in said paragraph and, based
25 thereon, it denies, generally and specifically each of said allegations.

1 26. Answering paragraph 26, this answering defendant lacks sufficient information or
2 belief to enable it to answer the allegations contained in said paragraph and, based
3 thereon, it denies, generally and specifically each of said allegations.
4

5 ANSWER TO FIRST PURPORTED

6 CLAIM FOR RELIEF

7 27. Answering paragraph 27, this answering defendant repeats and re-alleges each
8 and every admission, denial or allegation in response to paragraph 1-26 hereof and
9 incorporates the same herein by reference.
10

11 28. Answering paragraph 28, this answering defendant admits the provisions of
12 applicable law. Except as expressly admitted herein, this answering defendant lacks
13 sufficient information or belief to enable it to answer the remaining allegation in said
14 paragraph and, based thereon, it denies, generally and specifically, each of said
15 allegations.
16

17 29. Answering paragraph 29, this answering defendant admits the provisions of
18 applicable law. Except as expressly admitted herein, this answering defendant lacks
19 sufficient information or belief to enable it to answer the remaining allegation in said
20 paragraph and, based thereon, it denies, generally and specifically, each of said
21 allegations.
22

23 30. Answering paragraph 30, this answering defendant admits the provisions of
24 applicable law. Except as expressly admitted herein, this answering defendant lacks
25 sufficient information or belief to enable it to answer the remaining allegation in said
26 paragraph and, based thereon, it denies, generally and specifically, each of said
27 allegations.
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1 31. Answering paragraph 31, this answering defendant lacks sufficient information or
2 belief to enable it to answer the remaining allegation in said paragraph and, based
3 thereon, it denies, generally and specifically, each of said allegations.

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5 32. Answering paragraph 32, this answering defendant lacks sufficient information or
6 belief to enable it to answer the remaining allegation in said paragraph and, based
7 thereon, it denies, generally and specifically, each of said allegations.

8 ANSWER TO SECOND PURPORTED

9 CLAIM FOR RELIEF

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11 33. Answering paragraph 33, this answering defendant repeats and re-alleges each
12 and every admission, denial or allegation in response to paragraph 1-32 hereof and
13 incorporates the same herein by reference.

14 34. Answering paragraph 34, this answering defendant admits the provisions of
15 applicable law. Except as expressly admitted herein, this answering defendant lacks
16 sufficient information or belief to enable it to answer the remaining allegation in said
17 paragraph and, based thereon, it denies, generally and specifically, each of said
18 allegations.

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20 35. Answering paragraph 35, this answering defendant lacks sufficient information or
21 belief to enable it to answer the remaining allegation in said paragraph and, based
22 thereon, it denies, generally and specifically, each of said allegations.

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24 36. Answering paragraph 36, this answering defendant denies, generally and
25 specifically, each of said allegations.

26 37. Answering paragraph 37, this answering defendant lacks sufficient information or
27 belief to enable it to answer the remaining allegation in said paragraph and, based
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1 thereon, it denies, generally and specifically, each of said allegations.

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3 FIRST AFFIRMATIVE DEFENSE

4 [Failure to State a Claim for Relief]

5 As a separate and distinct affirmative defense to each of plaintiff's causes of
6 action and, while denying each of the allegations contained therein, this answering
7 defendant asserts that each of said purported causes of action fails to state a cause of
8 action against these answering defendants.

9
10 SECOND AFFIRMATIVE DEFENSE

11 [Readily Achievable]

12 As a separate and distinct affirmative defense to each of plaintiff's causes of
13 action and, while denying each of the allegations contained therein, this answering
14 defendant asserts that any remediation of the Facility and the Subject Property is limited
15 to those actions which are readily achievable, are structurally feasible or are not unduly
16 expensive.

17
18 THIRD AFFIRMATIVE DEFENSE

19 [Standing]

20 As a separate and distinct affirmative defense to each of plaintiff's causes of
21 action and, while denying each of the allegations contained therein, this answering
22 defendant asserts that, to the extent plaintiff asserts alleged barriers which do not affect
23 him personally, he lacks standing to assert the same.

24
25 FOURTH AFFIRMATIVE DEFENSE

26 [Mootness]

27 As a separate and distinct affirmative defense to each of plaintiff's causes of
28 action and, while denying each of the allegations contained therein, this answering

1 defendant asserts that, to the extent any alleged barrier either never existed or has
2 been remediated, the plaintiff's claims are moot.

3 WHEREFORE, defendant prays judgment as follows:

- 4
- 5 1. That plaintiff's prayer for relief be denied;
 - 6 2. That plaintiff be granted no relief whatsoever in this matter;
 - 7 3. For defendant's reasonable attorney's fees;
 - 8 4. For costs of suit herein incurred; and,
 - 9 5. For such other and further relief as the court deems just and proper.
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11 BEWLEY, LASSLEBEN & MILLER, LLP

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13
14 By: 

15 Ernie Zachary Park,
16 Attorneys for Defendant
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